IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 10088 of 2002

Between:

1. Dr. Vatti Ganga Kishore, S/o Reddemma, Clinical Registrar, Plastic Surgery Department, Nizam's Institute of Medical Sciences, Punjagutta, Hyderabad.

2. Godavarthi Gopalam, S/o Late.Suryanarayana Murthy @ Suryanarayana, R/o Ramaraopet, Tadepalligudem, West Godavari District.

..... PETITIONERS

AND

The Sub Registrar, Tadepalligudem, West Godavari District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased

1) to issue notice, call for the records, and declare that the action of the respondent in keeping pending the sale deed dt.31-12-2001 bearing No.P 14/2002 executed by 2nd petitioner and three others in favour of the 1st petitioner and his brother Vatti Satyanarayana Murthy in respect of the vacant site admeasuring 229 4/9 square yards situate in R.S.No.217 in 13th Ward of Tadepaligudem town, West Godavari District and orally insisting the parties to the said document to pay stamp duty on the said site as per its market value shown in the basic value Register of the date of presentation of the document for registration i.e. 26.4.2002 and also on the shed existing therein as valued by him is highly arbitrary and without authority of law;

2) to direct the respondent to act according to law and take into consideration the value of the site as prevailing on the date of execution of the sale deed i.e. 31.12.2001 for the purpose of ascertaining the stamp duty payable thereon and register the said document without valuing and insisting for payment of stamp duty on the shed existing in the said site which alone is the subject matter of the sale by

stipulating a time limit by issuing a Writ of Mandamus or any other appropriate writ, order or direction.

Counsel for the Petitioners:MR.T.DURGA PRASAD RAO

Counsel for the Respondent: GP FOR REVENUE

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.10088 OF 2002

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ORDER:

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The miscellaneous application being W.P.M.P.No.22471 of 2004 is filed praying this Court to permit the writ petitioner to withdraw the writ petition. It is brought to my notice that the petitioner has already filed Civil Revision Petition under Section 47-A (4) of the Indian Stamp Act, 1899. Giving liberty to the petitioner to raise all the grounds in the said Civil Revision Petition, the writ petition is dismissed as withdrawn.

(V.V.S.RAO,J)

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28.09.2004.

pln

To

1. The Sub Registrar, Tadepalligudem, West Godavari District.

2. 2CCs to G.P. for Revenue, High Court Bldgs., Hyderabad (OUT)

3.2CD copies